A

SERMON

Preached at the

ASSIZES

AT

Northampton,

Auguſt the 9th. 1669.

Wherein is aſſerted,

The Excellency of Religion, againſt the Atheiſt.

The Dignity of Regal Government, againſt the Independent.

The Supremacy of his Majeſty in Cauſes Eccleſiaſtical, againſt the Presbyterian.

The Neceſsity of Judges, Law, and Magiſtrates, againſt the Anabaptiſt.

By *John Howes*, ſometimes Fellow of *Cajus* Colledge in *Cambridge*; now Rector of *Abington* near *Northampton*.

Sublata Religione, fides etiam, & ſocietas humani generis, & una excellentiſſima virtus juſtitia tollitur. Cicero de nat. Deor. lib. 1. in principio.

Πολιτείας δὲ ἐσὶν εἴδη τρία——τύπων δὲ βελτίσην μὲν ἡ βασιλεία. Ariſt. Eth. lib. 8 cap. 10.

Ὥσπερ τὸ σῶμα τερπνὸν ψυχῆς πίπτει: ἕτω καὶ πόλις μὴ ὄντων νόμων καταλύεται. Demoſt. in Philip.

LONDON,

Printed for *William Leake*, at the *Crown* in *Fleetſtreet*, between the two Temple-Gates, 1670.

To the Right Reverend Father in God, *Joſeph*, by the Divine Providence, Biſhop of *Peterborough*.

May it pleaſe your Lordſhip,

MY Pen is unable to expreſs how much my heart hath been, and is obliged to your Lordſhips ſervice; who ever ſince you were our moſt Reverend and Honoured Father and Governour, have declared your ſelf the Pillar of the Church, in your Lordſhips Dioceſs, the Patron of your conformable and vertuous Clergy, and the great and good Example of Piety, Juſtice, Charity, and Religious Devotion.

The preſent demonſtration of this my cordial ſervice, is a Sermon preached this laſt Aſſize in your Lordſhips Dioceſs; the which (confiding in your Lordſhips obliging candour) preſumes to kiſs your Lordſhips hands in this publick addreſs.

I hope there can be no Soleciſm herein, upon the account either of Divinity or Morality; for one Subject

of the Sermon is Religion, whoſe beautifull face would be not only ſullied by the foul fingers of deformed Errors, but alſo wofully ſcratched, and miſerably torn by the poyſonous nails of many-headed Schiſm, and monſtrous Hereſies, unleſs the [a] *Apoſtolical Order of Epiſcopacy proteƈted this Celeſtial Virgin from violence and rape, according to that of* [b] *St.* Cyprian, Unde Schiſmata & Hereſes ortæ ſunt? niſi dum Epiſcopus qui unus eſt, & Eccleſiæ præeſt, ſuperba quorundam preſumptione contemnitur.

[a] Apud nos, Apoſtolorum locum Epiſcopi tenent. S. Hier. Epiſt. ad Marcell & in Epiſt. ad Evag.
[b] Ad Papianum

As alſo, another Branch of this Diſcourſe is Kingly Government, the real intereſt whereof is ſo twiſted with the ſacred Order of Biſhops, that it ſeems animated by the ſame Soul; for like Hippocrates *twins, they ſmile and weep together, and live and die together: the which moſt certain truth was too truly and plainly demonſtrated in the late ſchiſmatical times, which ſealed with ſacred blood that* [a] *Aphoriſm of wiſe King* James, *No Biſhop, no King.*

[a] Confer. at Hampt. Court.

A third Branch of the Sermon is, the Supremacy of his Majeſty, in Cauſes Eccleſiaſtical; of which Royal Prerogative, inherent in the Imperial Crown, the Proteſtant Biſhops have alwayes been the moſt faithfull and worthy [b] Hyperaſpiſtæ: *whereas the Genius of Presbyterian Diſcipline is alwayes nibbling at the Royal Scepter.*

[b] Epiſc. Elienſ. Reſp ad Apol. Bellarm. cap 4. Biſhop White againſt Fiſher. p. 570, &c.

The laſt Branch concerns the Law, which is Vinculum Humanæ Societatis, *and concerns Magiſtracy, which*

which is Propugnaculum Legis, *to whoſe due Rights none tender a more cheerfull and ready obedience, than thoſe of the Epiſcopal judgement, who preach and practice paſſive obedience, not* [c] *Genevizing reſiſtance, who ſay with* [d] *St.* Ambroſe, Dolere potero—flere potero—aliter nec debeo, nec poſſum reſiſtere.

[c] Cal. Inſtit. lib. 4. cap. 20. Sect. 31.

[d] S. Ambr. in Orat. ad Auxentium.

Accept therefore, my good Lord, of this Mite of Duty, which upon the earneſt entreaty of ſome Perſons of worth and integrity, adventures into the Ocean of a critical world: and although I freely acknowledge, my well-intended endeavours did not merit the ſprinkling of that florid and fluent Rhetorick, which the then * *Lord Judge (who hath a* Suada *in his tongue) vouchſafed in his eloquent and loyal charge to pour upon them: yet I hope your Lordſhip will not throw them away into the gulph of neglect, ſeeing they found a candid reception from the Pulpit, and come from him who accounts it his great honour to be a regular Son of the Church of* England, *and conceives it his lawfull ambition to be reputed by your Lordſhip, as he is unfeignedly in all Canonicall obedience,*

* Serjeant Broom.

Your Lordſhips moſt humble

and devoted Servant,

JOHN HOWES.

The Text.

2 Chron. 19. 5, 6.

And he ſet Judges in the Land, in all the fenced Cities of Judah, City by City.

And he ſaid to the Judges, Take heed what you do; for you judge not for man, but for the Lord, who is with you in judgement.

Right Honourable, Right worſhipfull, and well-beloved,

THe World before it was civilized, may fitly be reſembled to a vaſt Ocean, or to a wilde Wilderneſs: for as in the vaſt Ocean, the greater Fiſh devour the leſs without controul; and as in the wilde Wilderneſs, the ſtrongeſt Beaſts tear in pieces the weaker at their pleaſure: So in the World, the raging *Nimrods*, who are like the [a] *Leviathan* in the Ocean; and the

[a] Job 41. 1.

b Job 40.15. the furious ſons of *Belial*, who are like *Job*'s b *Behemoth* in the Wilderneſs, would make a prey of all who are infirm and quiet, unleſs there were Government, Law, and Judges, to preſerve Propriety, Liberty, and Life.

Wherefore *Jehoſhaphat*, a noble and wiſe Prince, that he might curb unruly Senſuality, reſtrain bruitiſh Violence, puniſh devouring Oppreſſion, and bridle unſatiable Avarice, which are the *Scylla* and *Charybdis* of Humane Society; as alſo that he might eſtabliſh Law and Equity, which are the Pillars of a Kingdome; ſettle Righteouſneſs and Truth, which are the Palladium of a Nation; and protect *Meum & Tuum*, which are the Foundation of Wealth, Peace, and Induſtry; He doth (as it is in my Text) *ſet Judges in the Land, thorowout all the fenced Cities of Judah, City by City. And he ſaith to the Judges, Take heed what you do*, &c.

The Context. De Jano bifronte. Vide Macrob. Sat. lib. 1. cap. 9.

The firſt word of the Text is a Conjunction copulative, and therefore, like *Janus* among the *Romans*, looks backward to the Verſe preceding; where we find King *Jehoſhaphat* in his Royal progreſs, from *Beerſheba* to Mount *Ephraim*, and in his progreſs denying himſelf many contenting delights, and lawfull pleaſures, that he might promote the Publick good.

For as he was (after the example of all his Royal

Royal Predeceſſours) Supream in all Cauſes both Eccleſiaſtical and Civil, ſo he takes care in all Cauſes Eccleſiaſtical and Civil: and as he was (after the example of all his noble Progenitours) *Cuſtos utriuſque tabulæ*, the Guardian of both Tables of the Moral Law, ſo he takes eſpeciall care for the obſervance of each Table. His care in Cauſes Eccleſiaſtical, appertaining to God, appears in the laſt words of the former Verſe, *He brought the people back to the Lord God of their Fathers.* His care in Cauſes Civil, appertaining to the Kingdome, appears in my Text, *And he ſet Judges in the Land, thorowout all the fenced Cities of Judah, City by City. And he ſaid to the Judges*, &c.

And here I beſeech you take notice of the Piety and Prudence of this moſt Religious and Heroick King; He takes care of God and of Religion in the firſt place: for what the Soul is to the Body, that is Religion to the State. The Body without the Soul is dead, and the State without ſome eſtabliſht Religion is confuſed and diſ-joynted. *Obſervation from the Context.*

This was well known by the glimmering Lamp of Nature, to wiſe [a] *Orpheus* among the *Thracians*, to ænigmatical *Pythagoras* among the *Grecians*, and to devout *Numa* among the *Romans*; who did endeavour in the firſt place to inſtill ſome Principles of Natural Religion, among the barba-

[a] Videtur Orpheus hoc conatus apud Thraces, quod Pythagoras tentavit apud Ionios, & Numa apud Romanos. Eraſ. Adag. Chil. 4 Cent. 8. Num. 99.

rous and rough People, that ſo they might mollifie their ſavage Natures, and reduce them to Civility, Order, and Obedience.

[b] For Religion in it ſelf is the [b] foundation of all morall Vertue, the original of all juſt and pious Law, the cement that ſtrongly combine all humane Society, and the very life of impartiall Juſtice, upright Love, and conſtant Honeſty.

And ſupernatural Religion is the [c] Ladder of *Jacob*, by which the Soul may gradually aſcend from Earth to Heaven; the ſilver wings of *Davids* Dove, by which we approach into the preſence of the Almighty; and the golden Chain that unites God to Man, and draws down the rich Bleſſings of Heaven upon us poor and needy Mortals in the Earth.

Wherefore *Jehoſhaphat* did moſt prudently, as well as piouſly, to give *primitias Deo*, the firſt Fruits to God, who is [d] *Primus & ultimus*, the firſt and the laſt. And having [e] firſt ſerved God in Religious Affairs, he proceeds in the next place to take care of the Kingdome in Civil Affairs, *And he ſet Judges in the Land*, &c.

The which words do repreſent unto us, as in a clear optick Glaſs, two noble Objects, namely,

The Kings moſt Excellent Majeſty; And
The moſt Reverend and Learned Judges.

And they repreſent theſe Objects without any en-

[b] Religioni ſerviendum eſt, quam qui non ſuſpicit, ipſe ſe proſternit in terram, & vitam pecudum ſecutus, humanitate ſe abdicat. Lactant. de falſa ſap. lib. 3. cap. 10. in fine.

[c] Hæc doctrina porta cœli eſt, & janua paradiſi, ſcala illa Jacobi, &c. Armin. orat. de auct. & fine. Theolog. pag. 45.

[d] Ἐγὼ εἰμι τὸ Α, καὶ τὸ Ω, Apoc. 1. 8.

[e] Ἐκ Διὸς ἀρχώμεθα. Aratus in Phæn. Vid. Lorin. in Act. 17. 28.

envious or eclipsing cloud: They represent them in their orient splendour, and dazling lustre.

1. They represent the King in his Soveraignty and Supremacy, which is the most precious and beautifull Flower in his Crown.

2. They represent the Judges in their Circuit and Commission, which is their venerable Honour and Authority.

1. Here is the King in the Pronoune primitive, *He.*

2. Here is the Kings Soveraignty and Supremacy, in that, *He set Judges in the Land,* (which none but Royal Majesty can do.)

3. Here is the Circuit of the Judges, *Thorowout all the fenced Cities of Judah, City by City.*

Lastly, Here is the Commission of the Judges; Wherein is contained,

1. A pious and prudent Caveat, *Take heed what you do.*

2. The Plea for putting in the Caveat, *You judge not for men, but for the Lord.*

3. The Seal to strengthen the Caveat, *God is with you in judgement. And he set Judges in the Land, thorowout all the fenced Cities of Judah. And he said,* &c.

1. Of the King, in the first word of the Text, the Pronoun primitive, *He.*

And now I may say with holy *David,* Psal.

45 1. *My Heart is inditing of a good matter, I ſpeak of the things I have made concerning the King; my Tongue ſhould be as the Pen of a ready Writer.*

For Kings are not the Invention of active Wits, or of ambitious Heads, or of politick Brains, as the deluded [a] *Anabaptiſts*, and other *Enthuſiaſts* dream; neither are they Creatures of the Peoples making, or the product of the Multitude, as [b] *Bellarmine* on the one hand, and the [c] *Independents*, with other ſeditious Perſons on the other hand, maintain: But they are grounded on the Law of Nature in Paternall Authority, which is co-ævall with the World; they are founded on the Law of right Reaſon, which gives a Dignity and Authority to the Firſt-Born over all his Brethren; they are rooted in the Original Law of Nations, as *Cicero lib.* 3. *de Legib.* teſtifies, where he ſaith, *Omnes antiquæ Gentes Regibus paruerunt*, All the ancient Nations of the World were governed by Kings: They are confirmed by the unerring Law of God, who did inſtitute the [d] Government of Kings over his own choſen People, and gave expreſs [e] Commandement for *David* to be annointed King over *Iſrael*. Finally, they are Prophetically promiſed, as a very great Bleſſing to the Church in Goſpel-times, *Iſa.* 49. 23. *Kings ſhall be thy nurſing Fathers, and Queens ſhall be thy nurſing Mothers.*

[a] Sleid. com. lib. 10.

[b] Bell. de Laicis. lib. 1. cap. 6. E.

[c] Longe contraria eſt huic doctrinæ Chriſti, Fanaticorum Angliæ opinio, qui docent Regem eſſe creaturam populi, &c. Salmaſius in reg. defenſ. cap. 3. in principio, & cap. 10. circa medium.

[d] Deut. 17. 15.

[e] 1 Sam. 16. 1.

This

This Government by Kings, *Plato* the Seraphick Philosopher [f] calls κυβέρνησις θειοτάτη, the most divine Government. And [g] *Herodotus* (who is stiled *Pater Historiarum*, the first Historian among the Heathen) calls it κυβέρνησις πολαιοτάτη, the most ancient Government. And *Aristotle* (who was the most rational and judicious of all the Philosophers) [h] calls it κυβέρνησις βελτίση, the most excellent Government.

[f] In Timæo.

[g] Herodotus lib. 3. in orat. Ostanis, pro Monarchia.

[h] Τύτων δὲ βελτίση ἡ βασιλεία. Eth. lib. 8. cap. 10.

For Monarchy is the imitation of the Government in Heaven, which is by one God; the restitution of the Primitive Government in the World, which was by one King: And it is the reflection of that admirable government of Nature, which rules the many Members of the Body by one Soul.

Experience proves, that Ship is best guided which is steered by one Pilot, though trimmed by many Sailors; that Army is best ordered which is commanded by one General, though assisted by many inferiour Officers; and that Nation is best governed who is ruled by one King, though advised by divers prudent and religious Counsellours.

Doth not Nature give us a Hieroglyphick hereof in the mellifluous Bees, whose sweet Commonwealth is ordered by one King,

——————*Quem admirantur, & omnes* Georg lib 4.
Circumstant fremitu denso, stipantque frequentes,

whom they all reverence, and like little nimble Courtiers, wait upon. As alſo in the ſubtile *Cranes*, [b] who in their annuall flight over the Mount *Taurus*, (where the Eagles, their mortal enemies lodge) do by inſtinct reduce themſelves into a form of Battalio, like a Triangle, and follow the conduct of one Leader, who flies before them, as if he was their King. Let us therefore in a unanimous Suffrage conclude with the judgement of the [c] Prince of Poets, Εἷς κόϱανος ἔσω.——Εἷς ϐασιλεὺς;—— Let there be one Lord, one King.

[b] Plin. nat hiſt. lib. 10. cap. 23.

[c] Hom. Iliad. B.

But what is a King without Power? He is as a Bird without wings, or a Picture without life: He is as [d] *Sampſon* among the *Philiſtins*, with his locks cut off; or like * *Æſop*'s Log, caſt by *Jupiter* into the Lake, among the croaking Frogs, at firſt their Fear, but afterwards their Scorn.

[d] Judg. 16. 20, 21.

* Æſop. fab. 17.

Power therefore is eſſential to the Being of a King, without which he is but like the *Spartans* Nightingale, *Vox, & præterea nihil*, a Noiſe, and nothing elſe.

Power is ſo neceſſary, that without it he cannot protect his loyal Subjects from wrong, or his [e] Sacred Perſon from outrage: He cannot defend his Laws from ſhamefull neglect, or Himſelf from baſe Contempt; neither can he repell a ſudden invaſion from abroad, or charm down the Evil Spirit of Rebellion and Inſurrection at home. And this brings

[e] Vide Salmaſ. reg. defenſ. cap. 10. per totum.

brings me to the second part of the Text, and that is,——The Authority, Soveraignty, and Supremacy of the King, in these words, וַיָּשֶׂם שֹׁפְטִים *He set Judges in the Land.*

And now behold the King in his Throne. Behold him not only with a Crown of Gold upon his head, but with the glittering Sword of Justice in one hand, and the golden Scepter of Law in the other hand. Behold him attended with his reverend, wise, and learned Judges; and they not imposed upon him, (as if he was a Minor, and in Wardship) but of his own free choise, and gracious Election; for so saith my Text, וַיָּשֶׂם שֹׁפְטִים *He set Judges in the Land.*

The second part of the Text.

And this is a Point very remarkable, and of highest Concern: For there hath been in our sad and wofull Memory, Two Pretenders unto this supream Act of Power; the one is the People, *Qui vult decipi, non vult cogi*; the other is the Senate, which is the Representative of the People. But to say little hereof, (*ne cicatricem refricarem*) both are absolutely excluded by my Text: For the Text doth not say, Κατέσησαν τὸς κρίτας, *They set Judges in the Land*; but the Text speaks in the singular number, Κατέσησε τὸς κρίτας, *He set Judges in the Land.* This is an Act of Supremacy, and therefore belongs to the King: It cannot belong to the People, unless we do, with the unreasonable

[a] Fanatici docent, populum dominum esse Regis. Salmas. in reg. defen. cap. 3.

[a] Fanaticks, make the Feet the Head; neither can it belong to the Senate, for their many Oaths, and the title of their frequent Petitions disavow it, whereby they both swear and declare themselves, *His Majesties most humble, loyal, and obedient Subjects.*

St. *Peter* the Apostle makes it a ruled Case in the Law of God, 1 Pet. 2. 13. *Submit your selves to every Ordinance of Man, for the Lords sake, whether to the King as Supream,* (here is the Kings Supremacy asserted by divine Authority) *or to Governours, as sent by him,* (here is the inferiority and dependency of all Judges and Magistrates establisht) *Jehoshaphat* in my Text, after the practice of all his Royal Progenitours, after the example of all his noble Predecessours, after the president of pious [b] *David*, wise *Solomon*, and all the other Kings of *Judah*, κατέστησε τὸς κρίτας, *He set Judges in the Land.*

[b] 1 Chron. 26. 29, 30. 1 King. 4. 4, 5.

And it must needs be so; for according to the Greek Aphorism, ὁ θρόνος καὶ ἡ κλίνη, &c. the Throne and the Bed will not bear a Rival. To set Judges in the Land without the King, is either to be above the King, which [c] *Cæsar* could not brook; or else to be co-ordinate with the King, which *Pompey* could not digest; or else to cut off a skirt from the Kings royal Mantle, which made [d] *Davids* Heart to quake and tremble.

[c] Nec quenquam jam ferre potest Cæsarve priorem, Pompeiusve parem. Lucan. Pharsal. lib. 1.

[d] 1 Sam. 24. 5.

What

What Gentleman of the long Robe, who is advanced beyond his *Littleton*, doth not know, it is a received Maxime in the Laws of *England*, that the *King is the Fountain of Honour, and of Justice?* Therefore as all Nobility is like a Chrystal Stream, which flows from that glorious Spring; so all Judges, Justices, and inferiour Magistrates, are as Rivers which issue from that noble Ocean. *Alexander* told the Embassadours of *Darius*, *The Firmament will endure no more but one Sun, and the Regal Throne will bear no more but one Supream;*——

Q Curt. hist. de Alex. lib. 4.

He set Judges in the Land.

But there are two sort of Judges; the one Ecclesiastical, the other Civil: The one to judge in things that appertain to God, and Divine Worship; the other to judge in things secular, appertaining to Right and Wrong, which concern Mens Liberties, Lives, and Fortunes. Both these depend upon Kingly Power, and are goodly Branches, which grow and flourish upon the Royal Tree of Monarchy.

For we find in the 8th. Verse of this Chapter, that King *Jehoshaphat* appoints an Eccleſiastical Court of Priests and Levites, to determine in Matters Spiritual and Ceremonial; and he constitutes *Amariah* the High-Priest, Chief Judge in this his Eccleſiastical Court, Verse the 11th. of this Chapter.

Further, He appoints a Civil Court, to determine matters of the King, and Pleas of the Crown, and constitutes *Zebadiah* the Son of *Ishmael*, chief Judge therein, as it is in the same Verse.

And this jurisdiction of King *Jehoshaphat* in Matters Ecclesiastical and Civil, was no intrusion, or innovation, but a just asserting of the ancient Charter of his most honourable Predecessours: For King *Solomon*, whose [a] wisdome excelled all the wisdome of the East, and all the wisdome of *Egypt*, did appoint *Zadok* the Priest to be [b] High-Priest. And thus did Christian Emperours in the [c] Primitive times, untill *Boniface* the Third usurped that ambitious and tyrannical title of *Universalis Episcopus*. Yea Heathen Kings by the principles of just Policy, have, and do keep this Prerogative inviolate, namely, To be Supream Governour over all Persons, and in all Causes, both Divine and Civil: well knowing, it is a dangerous Cancer in the body of the State, to suffer any Power in a Kingdome to be independent upon the Royal; and that it makes a Kingdome, like the Serpent (which [d] *Pliny* calls) *Amphisbæna*, who having two Heads, drawing two severall wayes, doth writhe the body miserably, and after many painfull convulsions, doth tear the body into loathsome pieces.

[a] King. 4. 30.

[b] 1 King. 2. 35.

[c] Bilson of Obedience.

[d] Plin. nat. hist. lib. 20. cap. 20.

Presumptuous therefore, and highly injurious,

is

is the Usurpation of the Bishop of *Rome*, in claiming a Supremacy over Kings and *Princes* in [e] Causes Ecclesiastical: especially presumptuous is he, in claiming a Superiority over the King of *England*, who was held to be Αὐτοκέφαλος, by the [f] *Romanists* themselves; and as our learned [g] Antiquary proves, holds not his Empire in vassallage unto any, neither is inthroned, or installed by any forreign Power, and hath an Arch-Bishop in his own Dominions, who is ὁ μέγας μητροπολίτης, a great Metropolitan, & *magnus totius orbis Patriarcha*, a great *P*atriarch of the Christian World.

[e] Bell. de Rom. Pontif. lib. 5. cap. 1. & cap. 6. & cap. 7.

[f] Vide the primitive Rule of Reformation. pag. 33, 34.

[g] Camden. Brit. cap. Ordin. Angl.

Injurious likewise, and more highly presumptuous, is the little Church of *Geneva*, in her novell and high-minded opinion, concerning the power of the *P*resbytery over Kings and *P*rinces, [a] even to the dreadfull sentence of Excommunication; as also in teaching the *P*eople, (as appears in the Writings of [b] *Calvin*, *Beza*, *Danæus*, *Bucanus*, *Knox*, *Buchanan*, and many others) that it is lawfull for them to take up Arms against their Soveraign, in case of Religion or Liberty; the which seditious Doctrine, clean contrary to sacred [c] Scripture, clean contrary to the practice of the [d] primitive Christians, and diametrically contrary to the judgement of the ancient [e] Fathers, (if it be not thorowly quenched in *England*) will be a

[a] Traver. de disc. pl. Eccl. fol. 136. 137.

[b] Cal. Instit. lib. 4. cap. 20. Sect. 31. Danæus de Christiana polit. lib. 3. cap. 6. Bucan. Inst. theol. de Magistratu. num. 77. &c.

[c] Rom. 13. 1. 2, 5.

[d] Tertul. in Apolog.

[e] Circa Majestatem imperatoris infamatam, tamen nunquam Cassiani inveniri potuerunt Christiani. Tertul. ad Scapulam.

Dolere potero, flere potero aliter nec debeo, nec possum resistere. S. Ambr in orat. in Auxent.

Fire-brand to kindle a new Warre in the bowels of the Nation, as soon as the people are like Tinder prepared for the work. I am sure this novel and people-flattering Opinion is a poysoning of the Subject in point of Loyalty, and a robbing of his gracious Majesty of the most choise and glorious Flower which grows in the Crown Imperial, the which Flower was planted by the hands of God himself.

And thus much for Ecclesiastical Judges; who as they are by Divine and Civil Authority established in *England*, do like [f] *Nathan* the Prophet bow down before King *David*, and heartily acknowledge the King (as [g] *Tertullian* in his Apology declares the primitive Christians acknowledged the *Roman* Emperour) *à Deo secundus, post quem primus, ante omnes, & super omnes*; Next to God himself in his own Dominions, and superiour to all persons in his own Kingdomes. I proceed to the other kind of Judges, which are Civil, of which my Text directly speaks——

f 1 King. 1. 23.

g Tert. in apol. adver. gentes. cap. 30.

He set Judges in the Land.

And what are Civil Judges? They are the honoured Fathers of their Countrey, the worthy Patrons of the Subjects Birth-right, which is *Propriety*, and legal Liberty; and as the holy [a] Scripture calls them, מָגִינִי אֶרֶץ, *the Sheilds of the Earth.*

a Psal. 47. 9.

Judges

Judges are the *Atlas*'s which bear up the pillars of a flouriſhing Nation; the Altars to which the deſolate Widow, the forlorn Orphan, and the diſtreſſed Innocent fly for ſuccour; and they are the Oracles of Law, from whoſe well-guided Lips the Princes of the Earth learn Wiſdome and Righteouſneſs.

They are ſo extreamly neceſſary, that not only the Well-being of a Kingdome, but the very Being of humane Society depends upon them. So that what ſome Modern *P*hiloſophers ſay of the Sun, namely, That if that glorious *P*lanet was pulled out of his Sphear, by the hand of Omnipotence, the lovely frame of Heaven and Earth would ſink into a Chaos: So we may confidently ſay, that if Judges and Magiſtrates were thrown out of the Seat of Government, and levelled with the *Vulgus*, by the evil ſpirit of *Quakeriſm*, *Anabaptiſm*, and *Enthuſiaſm*, all humane Society would quickly corrupt into ſelf-deſtroying Confuſion, and be ſwallowed up in the gaping gulph of Oppreſſion, Violence, and ruining Miſery.

Rob. de fluct. in utriuſque coſmi hiſt. tract 1. lib. 1. cap. 6.

How happy then are we of this Kingdome, *Bona ſi ſua norint Agricolæ*, if we had Eyes to ſee our Happineſs, that we have Judges and Magiſtrates in the Land: That we are not left like the harmleſs Dove, to the greedy violence of Birds of prey; that we are not left as the quiet Sheep, to the gri-

ping hunger of ravenous Beasts; nor constrained to cry out according to the elegant [a] Greek Adage, Μερὶς ὁ πνιξ, Let there be Equality by casting of Lots, and not a taking by the Throat, to snatch away what is ours by strong hand and power.

[a] Erasm Adag. cent 6. num. 22

As also what great cause have we to bless God, that we have Judges in the Land, who make the Law their rule, and Religion their guide; who are loyal to their gracious King, and faithfull to his obedient Subjects; who know God sits in the Congregation of the [b] Gods; and as *Homer* saith, Ἔιχει θεὸς ἐνδικον ὄμμαχ, hath an impartial Eye to revenge all ungodlinesse and unrighteousnesse.

[b] אל הים Psal. 82. 1.

Finally, what great cause have we to magnifie God, for this Happinesse of the Kingdome, far above other Kingdomes in the world, that these honourable and learned Jndges of our Land, do like the Vine and Fig-tree in [c] *Jotham*'s Parable, leave their own Sweetnesse and self-enjoyments, to bear precious fruit to us; that they value not their own Ease and Rest, to bring upright Judgement to our doors, and impartial Justice to our County; that they are as burning and shining Lamps, wasting the oyl of their Health and Strength to enlighten and refresh us. In a word, that they do with [d] *Moses*, sit from Morning to Evening, to hear the Causes between man and man. And this brings me to the third part of the Text, the Judges Circuit,—— *Through-*

[c] Judg. 9. 10.

[d] Exod. 18. 13.

Throughout all the fenced Cities of Judah.

The third part of the Text.

But what have fenced Cities to do with Judges? Fenced Cities have need of valiant Souldiers, and experienced Commanders; have need of swelling Granaries, and loaden Magazins; have need of *Vitruvius*, to build strong Bulwarks; and of [a] *Archimedes*, to draw Geometricall lines. *Julius Cæsar* told the honest Tribune, who forbad him to break open the *Roman* Treasury, because it was against Law; [b] *Julius Cæsar* told him, that *the shrill sound of the Trumpet, and the ratling beat of the Drum, did so deafen his Ears, that he could not hear the voice of any Law.*

[a] De Archimede. Vid. Plut. in vita Marcelli.

[b] Plut. in vita Julii Cæsar.

Yet notwithstanding all this, and much more that might be said, there is great necessity and abundant advantage, when Judges are appointed to visit all the fenced Cities of *Judah.*

For a City may be fenced in the *Halcyon* dayes of Peace; a City may be fortified, when the Temple of *Janus* is shut; and the politick Wisdome of Princes teacheth them, to provide as well against the Fraud of a pretended Ally, as against the watchfull Malice of a proclaimed Enemy. It is something too late to draw Fortifications, when the Herald denounces Warre, and the Canon spits fire: And therefore [c] *David*, and *Solomon*, and *Uzziah*, did fence their Cities in time of Peace; and every Prince who is a *Prometheus* will do so.

[c] 2 Reg. 23. 9. 2 Chron. 19. 5. 15. 16. 2 Chron. 26. 14, 17.

Pre-

Preventing Phyſick is the cheapeſt and the beſt Phyſick.

Now in this caſe, Judges are as needfull and uſefull for fenced Cities, as their deep Trenches, and double Walls: Nay, they are more needfull, and more ſtrong defences, than all their Walls of Stone or Earth; ſtronger than that brazen Wall, which common fame relates, the learned Frier endeavoured by Magical skill to erect round about this famous Iſland.

Lycurgus the renowned Law-maker of *Sparta* was clearly of this judgement, and therefore [d] forbad his Citizens to build any Walls about their *Sparta*, affirming, that *good Laws duely executed were the ſtrongeſt monuments to Towns or Cities*; the which Truth was confirmed by real Experience, for (as *Plutarch* obſerves) *Sparta*, which had no Walls, but good Laws, was longer lived, and more illuſtrious than *Thebes*, or *Corinth*, or *Athens*, or any other City of *Greece*, which had ſuppoſed invincible Fortifications.

[d] Plut. in vita Lycur.

Plut. in vita Lyſandri.

And this Truth is eſtabliſht by ſolid Reaſon: For as Impoſtumes within the Body, if they are not cured, do more certainly kill, than loathed Ulcers that are in the external parts: And as infected blood running in the channell of the Veins, doth more ſpeedily transfix the heart, than wide wounds which are expoſed to the Eye; ſo Diviſi-

on,

on, and Oppression, and Riots, and Debaucheries, and sordid vices within a City, do more certainly and speedily ruine a fenced City or Corporation, than *Hannibal ante portas*, than a threatning Enemy that beleaguers the Walls, or a bold Foe that throws a Granado into the Town, or strikes a Petard upon the Gates.

Needfull then are Judges, even in fenced Cities, that they may be Healers of in-bred Divisions, Repairers of tumultuous Breaches, and Restorers of quiet paths to dwell in.

Necessary be Judges, that they may charm with the rod of *Mercury*, the evil spirit of Violence, and punish with the glittering Sword of Justice, the impudence of incorrigible Offendors. They are necessary to protect the Gown from the Buff; to shelter the un-armed Townsman, from the imperiousness and rapine of the Man of Warre, who would roar and swell like the raging Waves of the Sea, if Judges and Governours did not with the Trident of Law, asswage the fury of the thundring Tempest.——— But my Text goes further——

City by City.

that is to say, Every City had Judges appointed for the composing of civil differences, and the punishing of notorious malefactours. *Urbes noviter structæ, Urbes bello acquisitæ*, &c. Cities

which were newly built, and Cities which were lately conquered, have Judges appointed to determine in all Causes civil and capital, as the incomparable [a] *Grotius* observes upon the Text.

[a] Grot. Annot. in loc.

And this was a singular act of Prudence: For if there be no City, Town, or Corporation, (except in Sr. *Thomas Moor*'s *Eutopia*) which is priviledged in a moral sence, as [b] *Creet* and *Ireland* are in an historical sense, from venemous Creatures; then there is an absolute necessity of providing the antidote of Law, and the amulet of Justice for every City, that the Good and Vertuous be not stung to death by the flying Serpent of Oppression, or gnawn to the bones by the weeping Crocodile of Hypocrisie.

[b] Heylins Cosmogr. de Creta & Hibernia.

Poets do [c] fable of the Golden Age, that it flourished *sine Lege, & sine Judice*, without Law, or Judges; and that Men were then so vertuous, that ——— *Vindice nullo*

Sponte sua, sine lege, fidem, rectumque tenebant,
——Pœna metusque aberant.

that men in those ancient times were honest and faithfull of themselves; and that they were just without pœnal Laws, or fear of punishment. But that Age of Innocency is long ago expired, and we live in the Iron Age, where [d] blushlesse crimes out-face the Sun.

[c] Hesiod. Virg. Ovid, &c.

[d] Facit indignatio Versum. Juvenal. Sat. 1 Num. 79.

Where

Where Faith and Truth are strangers, or else exiles;
Where Fraud or Force do undermine, or storm;

And therefore there is extream need of Judges, and of Law, that the *Augæan* Stable may be cleansed; the stinking sinks of foul sins may be washed; that men may not be Cannibals, or else turn Brutes, and be like Monsters to tear and devour one another.

For the body politick is in many regards like the body natural: And as the body natural doth every year contract some ill humours, and therefore hath sometimes need of incision, sometimes of purgation, sometimes of breathing a Vein, and sometimes of Causticks, and sometimes of the amputating Saw, *Ne pars sincera trahatur*, lest the sound parts be gangreen'd; so it is in a City or Corporation, the diseases of Impiety and Iniquity abound, and like the crawling Insects breed and multiply of themselves: and therefore there is a necessity of Judges and Magistrates, to be the blessed *Æsculapius*'s to cure all these destroying Maladies; to cure the Tympany of [a] Pride, the Dropsie of Covetousness, the Itch of Luxury, the Impostume of Envy, the *Caninus appetitus* of Gluttony, the Feaver of Wrath, and the Lethargy of Idleness.

[a] Hæc sunt septem peccata capitalia, ut numerantur à Canisio in cat. pag. 455.

Need of Judges itinerant to visit a Kingdome, City by City, that they may cure the Megrim of

Diſloyalty, the Leproſie of Schiſm, the Frenzy of Quarrelling, the ſtinking Breath of falſe Witneſs, the Rheum of railing Language, and the Palſie of a lying Tongue.

Who knows not that Cities and Corporations are as Common-ſhores, wherein the filth of a Kingdome runs? As great Rivers, which admit the ſtreams of any muddy Rivulet to mingle with them; as vaſt boyling Pots, wherein there ariſeth naturally abundance of Scum.

In a Kingdome there is foul-mouth'd Swearing, Heaven-provoking Curſing, ſwiniſh Drinking, abominable Cheating, injurious Bargaining, falſe Conveyances, pretended Titles, curſed failing in Truſt.

In a Kingdome there are bloody Murthers, impoveriſhing Thefts, frighting Burglaries, Souldeſtroying Perjury, Religion-ruining Simony, execrable Treaſons, and deteſtable Sacriledge.

Wherefore it is neceſſary to have Law and Judges in the Land, that theſe Impoſtumes may be launced, that theſe Ulcers may be cured, that theſe peſtilential Humours may be emptied, and theſe epidemical Diſeaſes may be thorowly purged by the ſoveraign Pill of Juſtice, Righteouſneſs, and Equity.

And it is high time that theſe ill Humours of Vice and Wickedneſs be evacuated: For what a blazing

blazing Comet, in reference to the whole Kingdome, is that universall Profaneneſs which abounds both in City, Town, and Countrey With what dreadfull rayes doth it threaten the whole Nation? when as Gods holy Ordinance the ſpiritual Manna of our Souls, is loathe when Gods ſacred Meſſengers, the Heralds Evangelical Peace, are deſpiſed; when Gods divine Worſhip, which is the *Quotidiana Oblatio*, the daily Offering propheſied of by *Malachy*, is not only omitted, but mocked at. And men make no account of their immortal Souls, more precious than ten thouſand Worlds, but ſell them, as prophane *Eſau* ſold his Birth-right, for a meſs of Pottage, to gratifie any worldly Intereſt, or carnal, momentary Pleaſure. Mal.1.11. Heb.12.16.

What a diſmall Prognoſtication for the whole Kingdome is the ſlighting of Authority, the ſpeaking evil of Dignities, the murmuring of *Corah*'s, the whiſpering of *Miriam*'s, the refuſing the Waters of *Siloam*, which run ſoftly, and the impatient longings after the puddles of levelling Government in the Church, as the fickle and giddy *Iſraelites* did once long after the ſtinking Leeks and Onions of *Egypt*. Numb.11.5.

Certainly theſe prodigious Iniquities, theſe ominous Diſorders, and theſe dangerous Preſumptions, call aloud for the coercive Power of the

Magiſtrate, who is διάκονος τοῦ θεοῦ, the Miniſter of
Rom. 13 4. God, ἔκδικος εἰς ὀργὴν τῷ τὸ κακὸν πράσσοντι, the Reven-
ger, to execute wrath on them that do evil.

Certainly theſe hainous and monſtrous Sins cry aloud in the Ears of our moſt Reverend Judges, for due execution of the Laws, without which God himſelf will enter into Judgement with us, and plead his own Cauſe in Thunder and Lightning, in Storms and Tempeſts, far more terrible than the late fiery Torrent of *Ætna*, which to the amazement of the World, conſumed all that was before it.

And doubtleſs it is moſt ſafe for Judges and Magiſtrates, *Venienti occurrere Morbo*, to meet a Diſeaſe, before the Malignity of it hath ſeized the Vitals; and to deſtroy the Cockatrice, whileſt it is in the ſhell. I beſeech you conſider ſeriouſly, what dreadfull flames have kindled from neglected ſparks; and how many ſtately Ships have ſunk by ſmall neglected leaks. I may not, I muſt not
Virgil Eglog. 6. enlarge——————*Cinthius aurem vellit, & admonuit.*

And ſo much for the third part of the Text, the Circuit of the Judges,——
Thorowout all the fenced Cities of Judah, City by City.

The fourth part of the Text. We ſhould come to the laſt Part of the Text, which is the Commiſſion of the Judges.——— But that Part of the Text is the beginning of the next

next Verse, and therefore may be the Conclusion of my present Discourse. And the first particular in that part is the Caveat which King *Jehoshaphat* gives to the Judges, in these words——*And he said to the Judges, Take heed what you do*—— Which Caveat given to such Wise, Reverend, and Learned Persons, should move me to reflect upon my self, and to *take heed what I do*, namely, lest I presume upon your Honoured Patience, and retard your Weighty Affairs, and Publick Concerns. *Wherefore beseeching God to bless what hath been delivered, we humbly return to God the Father, God the Son, and God the Holy Ghost*, &c.

FINIS.

Errata typographica

Tit. pag. virtm, & virtus. — pag. 13. lin. ult. marg annot, poverunt, & potuer
pag. 16. in marg: אל הים, & אלהים — lin 12 Ἐιχει & Ἐχει — pag. 17
lin. penult Uriah & Uzziah — pag. 18 lin 15. monuments, & muniments.
pag. 24 lin 2. ἐυ & ἐις — lin 21 Cinthius, & Cynthius.

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